

This version of the ordinance shows the revisions recommended by the L&A Committee. It will be considered by the Town Council at their meeting on August 7, 2006.

TRUMBULL BLIGHT PREVENTION

Section 1. Statutory Authority; Purpose.

- A. This chapter is enacted pursuant to the authority granted to the Town of Trumbull under Connecticut Statutes § 7-148 (c) (7) (H) (xv).
- B. This chapter prohibits any owner, agent, tenant or person in control of real property located in the Town of Trumbull from allowing, creating, maintaining or causing to be created or maintained a blighted premise. The chapter also establishes penalties for violations of this chapter.

Section 2. Definitions.

For the purpose of this chapter, the following words, terms and phrases shall have the following meanings ascribed to them in this chapter.

BLIGHTED PREMISES – Real property, including any building or structure located thereon, which is and continues to be in a state of disrepair or is becoming dilapidated.

BLIGHT PREVENTION OFFICER – The Town official designated by the First Selectman to act as Blight Prevention Officer.

BUILDING OR STRUCTURE – An edifice of any kind or any piece of work artificially built or composed of parts joined together in some form which is built or constructed on any real property. The words “building” and “structure” shall be construed as if followed by the words “or part thereof.” Accessory buildings or structures, canopy, awnings, marquees, and each and every type of portable equipment shall be considered “building” or “structures” within the meaning of this definition.

STATE OF DISREPAIR or BECOMING DILAPIDATED – In a physically deteriorating condition which, if left unabated, would cause an unsafe or unsanitary condition or a nuisance to the general public which may be evidenced by one or more of the following conditions:

- A. Multiple missing, broken or boarded up windows and/or doors;
- B. Collapsing or missing walls or roof;

- C. Seriously damaged or missing siding;
- D. Fire or water damage;
- E. Infestation by rodents or other pests;
- F. Excessive amounts of garbage or trash on the property;
- G. Inoperative or unregistered motor vehicles or inoperative boats parked, kept or stored on the premises unless garaged on the premises;
- H. Commercial parking lots left in a state of disrepair or abandonment;
- I. Vacant buildings or structures left unsecured or unguarded against unauthorized entry; ~~and~~
- J. Overgrown brush and/or overgrown grass or weeds of at least one foot in height, excluding ornamental grass as part of a landscaped property; and
- K. Any other evidence that reasonably demonstrates that a property would cause an unsafe or unsanitary condition or a nuisance to the general public.

Section 3. Prohibition of Blighted Premises.

No owner, agent, tenant or person in control of real property located in the Town of Trumbull shall allow, maintain, or cause to be maintained, a blighted premises.

Section 4. Determination of Violation.

- A. Upon the observation of the Blight Prevention Officer and/or upon receiving a written complaint of a possible violation signed by the complainant, the Blight Prevention Officer shall make an investigation.
- B. If after investigation the Blight Prevention Officer determines that a violation exists, the Blight Prevention Officer shall serve written notice to the owner(s) and agent, tenant and/or person in control of the real property where the violation occurred. The notice may be hand-delivered or mailed by certified mail, return receipt required, to the last known address of (i) the owner(s) and (ii) if applicable, the agent, tenant and/or person in control other than the legal owner(s).
- C. Such notice shall state the violations and the conditions evidencing such violations and require the person to whom it is delivered to remedy such violations within thirty (30) days. Such notice shall inform the person cited: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due or may be due pursuant to Section 6 hereof; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that such judgment may issue without further notice.
- D. If after thirty (30) days (i) no hearing has been requested and (ii) the violation has not been remedied, then the Blight Prevention Officer shall issue a citation in the same manner prescribed for the initial violation notice. The date of the citation shall commence the daily fine established in Section 6.

Section 5. Right to a Hearing.

The property owner and/or person issued a notice and/or a citation may request a hearing within ten (10) days of the initial violation notice and/or within (10) days of the citation, as the case may be. Such request must be made in writing and must be delivered to the Blight Prevention Officer. Such hearing shall be conducted in accordance with the provisions of Section 7-152c(e) of the Connecticut General Statutes and shall be heard by a citation hearing officer appointed by the First Selectman.

Section 6. Penalties for Offenses.

Violations of the provisions of this ordinance shall be punishable by a fine of \$100 per day for each day a violation continues to exist. The date the citation was issued shall be the commencement date for said \$100 fine.

Section 7. Superior Court Judgment / Appeal.

The failure to pay the assessment of any fine(s) made by the [C](#)itation [H](#)earing [O](#)fficer | can result in a Superior Court Judgment as provided by Section 7-152c(f) of the Connecticut General Statutes. The decision of citation hearing officer is subject to appeal to the Superior Court as provided in Section 7-152c(g) of the Connecticut General Statutes.

Section 8. Recording of Lien.

Any unpaid fine imposed and any and all costs incurred by the Town for the enforcement of this Ordinance shall constitute a lien upon the subject real estate in accordance with Connecticut General Statutes Section 7-148aa, and each such lien shall be continued, recorded and released for in Section 7-148aa.